

PROGRAM GUIDE

THURSDAY—June 5, 2003

10:00 a.m.



1 Hour

Repeat Episode of May 15, 2003

- How to Get Sued
- Custody: Different Standards for Minors
- Pawned Property: Whose Is It?
- Protective Sweep Before Probation Search
- Warrantless Entry to Check on Welfare of Child
- 9th Circuit Holds Parole Searches Require Reasonable Suspicion

THURSDAY—June 12, 2003

10:00 a.m.



1 Hour

New Episode

- Probable Cause to Arrest and Officer Liability
- Give the Guy the Warrant
- Search and Seizure: Drug Packaging Profile
- Knowledge of Minor's Age Not Necessary to Violate B&P 25658(c)
- Possession of Paraphernalia Used Only for Smoking Marijuana
- PC Required to Get Warrant for Use of Thermal Imaging Device

THURSDAY—June 19, 2003

10:00 a.m. **Auto Theft 2003**

2 Hours New Telecourse Program

Provides practical tools to fight the rising tide of vehicle theft in California with coverage of key areas such as: motives/methods of vehicle thieves; traffic stops; documentation and vehicle I.D.; effective field interviews; other non-passenger vehicle theft; and Mexico trans-border vehicle theft issues.

THURSDAY—June 26, 2003

10:00 a.m. **Auto Theft 2003**

2 Hours Repeat of June 19 Telecourse Program

Provides practical tools to fight the rising tide of vehicle theft in California with coverage of key areas such as: motives/methods of vehicle thieves; traffic stops; documentation and vehicle I.D.; effective field interviews; other non-passenger vehicle theft; and Mexico trans-border vehicle theft issues. (Repeat broadcast)

THURSDAY—June 5, 2003

10:00 a.m.



1 Hour

Repeat Episode of May 15, 2003

How to Get Sued

with William Bedsworth, Justice of the Court of Appeal, State of California
Pierce County, Washington, and some of its deputies were sued for violating the rights of employees of a company where the deputies served a search warrant. Justice Bedsworth explains what the rules are in this type of civil lawsuit and explains how the deputies in this case went wrong. *Cases/Statutes cited: Ganwich v. Knapp* (2003) DJDAR (02/12/03). (8:57)

Custody: Different Standard for Minors

with Daniel McNerney, Superior Court Judge, State of California
The Federal 9th Circuit Court of Appeals has recently articulated new additional factors it will evaluate in determining whether a minor was "in custody" for purposes of *Miranda*. *Cases/Statutes cited: Alvarado v. Hickman* (2002) DJDAR 14225. (9:58)

Pawned Property: Whose Is It?

with William Bedsworth, Justice of the Court of Appeal, State of California
This case explains the rules and procedures governing return of stolen property that has been pawned. It may not be as easy as you think, as highlighted in a recent case where police made the mistake of returning stolen property to its owner. *Cases/Statutes cited: Zeltzer v. City of Oakland* (2003) DJDAR 3851 (Apr. 9, 2003). (8:29)

Protective Sweep Before Probation Search

with Jeff Rubin, Alameda County District Attorney's Office
If an officer has reasonable suspicion that a residence harbors an individual who poses a risk of danger, the officer can conduct a protective sweep of that residence even when the officer is just doing a probation search and even though some of the areas swept are not under the control of the probationer. *Cases/Statutes cited: People v. Ledesma* (2003) 106 CA 4th 857; *Maryland v. Buie* (1990) 494 U.S. 325 (13:26)

Warrantless Entry to Check on Welfare of Child

with Jeff Rubin, Alameda County District Attorney's Office
Where officers arrest a suspect and learn she has left a 9-year-old child in a house in the middle of the night without supervision of any responsible adult, the "emergency exception" permits entry to check on the welfare of the child. *Cases/Statutes cited: U.S. v. Bradley* (9th Cir. 2003) 321 F.3d 1212. (8:33)

9th Circuit Holds Parole Searches Require Reasonable Suspicion

with Jeff Rubin, Alameda County District Attorney's Office
The Ninth Circuit has held that law enforcement must have reasonable suspicion before conducting a search of a parolee's residence pursuant to a parole search clause. This is inconsistent with CA Supreme Court law, which does not require reasonable suspicion. *Cases/Statutes cited: U.S. v. Crawford* (9th Cir. 2003) 2003 WL 735531; *People v. Reyes* (1998) 19 CA 4th 743. (5:30)

THURSDAY—June 12, 2003

10:00 a.m.



1 Hour

New Episode

Probable Cause to Arrest and Officer Liability

with Daniel McNerney, Superior Court Judge, State of California
Discussion of a case that says officers may have civil liability for false arrest and violation of civil rights if the arrest of a suspect is without probable cause. *Cases/Statutes cited: Grant v. City of Long Beach* (2002) DJDAR 14141. (10:36)

Give the Guy the Warrant

with William Bedsworth, Justice of the Court of Appeal, State of California
In this case, police provided a copy of the search warrant to the person whose home was being searched, but they didn't provide a copy of the affidavit. Justice Bedsworth explains what the rules are for serving a search warrant and how to comply with them. *Cases/Statutes cited: U.S. v. Celestine* (2003) DJDAR 3747 (04/07/03). (7:35)

S&S: Drug Packaging Profile

with Daniel McNerney, Superior Court Judge, State of California
If a posted package fits the "drug packaging profile," law enforcement may have reasonable suspicion to detain the package for further investigation. *Cases/Statutes cited: U.S. v. Hernandez* (2002) DAR 14450. (7:14)

Knowledge of Minor's Age Not Necessary to Violate B&P 25658(c)

with Jeff Rubin, Alameda County District Attorney's Office
A person can be guilty of violating the misdemeanor statute that makes it unlawful to sell, furnish, or give any alcoholic beverage to anyone under 21 who thereafter proximately causes great bodily injury or death, even if the person furnishing the alcohol does not know the person is under 21. *Cases/Statutes cited: In re Jennings* (2003) 106 CA 4th 869; *Business and Professional Code Section 25658(c)*. (4:21)

Possession of Paraphernalia Used Only for Smoking Marijuana

with Jeff Rubin, Alameda County District Attorney's Office
H&S Code Section 11364 does not prohibit possession of a device (i.e., a bong) used solely for smoking marijuana, although it does prohibit possession of devices used to smoke synthetic THC. *Cases/Statutes cited: In re Johnny O.* (2003) 132 Cal.Rptr.2d 471; *Health & Safety Code Section 11364*. (3:26)

PC Required to Get Warrant for Use of Thermal Imaging Device

with Jeff Rubin, Alameda County District Attorney's Office
To use a thermal imaging device on a residence, it is necessary to get a search warrant that is supported by probable cause. Unverified information from an anonymous source providing reasonable suspicion is not enough-- even though the warrant only authorizes use of the device, not entry into a residence. *Cases/Statutes cited: People v. Gotfried* (2003) 107 CA 4th 254; *Kyllo v. U.S.* (2001) 533 U.S. 27. (7:59)

THURSDAY—June 19, 200310:00 a.m. **Auto Theft 2003***2 Hours* New Telecourse Program

Vehicle theft is the largest property crime in the United States with a cost to U.S. citizens of almost \$7.8 billion a year. California leads the nation with the highest vehicle theft rates.

This program is designed to give officers practical tools to fight this crime, to turn the rising tide of vehicle theft, and have real impact on the lives of all Californians. Key program topics include:

- Motives and methods of vehicle thieves - how they steal and why.
- Best practices for traffic stops - how to quickly determine if a car is stolen.
- Owner documentation and various vehicle identification points.
- Effective field interviews and reporting.
- Other vehicle theft: motorcycles, construction equipment, and boats.
- Trans-border theft issues related to Mexico.

Five scenarios presented in the program include:

- Cold plate
- Fresh stolen
- VIN switch
- Chop shop
- Stolen construction equipment

This telecourse does not include a printed Reference Guide.

This telecourse is eligible for CPT credit. See back page for additional information about CPT credit for telecourse viewing, or go online for detailed instructions at www.post.ca.gov/training/cptn.

Course Module #03-06.

THURSDAY—June 26, 200310:00 a.m. **Auto Theft 2003***2 Hours* Repeat of June 19 Telecourse Program

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Course Module #03-

**SATELLITE BROADCASTS
END THIS MONTH**
CPTN goes to direct-mail DVD July 2003.
See POST Bulletins #03-03 & #03-13
online at www.post.ca.gov/bulletin

Next Month on CPTN

CPTN begins program distribution via direct-mail DVD in July 2003

See POST Bulletins #03-03 and #03-13 online at www.post.ca.gov/bulletin/bulletins.asp for more information.

**Public Safety Dispatcher:
Meeting the Professional
Challenge 2003**

**July 2003
Telecourse**
New DVD Program - 2 Hours



**January 2003
February 2003
March 2003**
Quarterly DVD - 18 segments

June 2003 is the last broadcast month for CPTN. In July 2003 the network will transition to DVD via direct-mail to Certified Telecourse Presenters in the California POST Program. See POST Bulletins #03-03 and #03-13 for detailed information.

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TELECOURSE CPT CREDIT

The course module number for Telecourses appears at the end of the program summary. POST-Certified Telecourse Presenters must document Telecourse attendance on POST Course Roster (Form 2-111) and note the module number in the comment section of the roster. Law enforcement agencies and POST-Certified Telecourse Presenters are authorized to duplicate the Telecourse VHS and print/CD-ROM reference guides for training purposes. This month's Telecourse and most previously broadcast Telecourses are eligible for the award of continuing professional training (CPT) credit if facilitated by a POST-Certified Telecourse Presenter. Certified Presenters of POST Advanced Officer Courses or Skills and Knowledge Modular training courses may also use the Telecourses as part of those courses. Single copies of DVDs (beginning July 2003) and Telecourse reference guides (when applicable) are mailed only to POST-Certified Telecourse Presenters. Contact your local law enforcement agency training office for information on Telecourse viewing and presentation, or call the POST Training Delivery Bureau at (916) 227-4863.



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